IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 26TH MARCH 2007 / 5TH CHAITHRA 1929

WP(C).No. 3163 of 2007(B)

PETITIONER:

HARILAL, S/O. LAKSHMANAN,
EDAYIL HOUSE, CHIRAKKADAVAM MURI,
KAYAMKULAM VILLAGE.

BY ADV. SRI.R.REJI
SMT.C.A.AJITHA SALAM

RESPONDENTS:

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1. VENU GOPAL, ASSISTANT EXCISE
COMMISSIONER, ALAPPUZHA.

2. THE DIRECTOR GENERAL OF VIGILANCE,
THIRUVANANTHAPURAM.

ADDL.3. THE COMMISSIONER OF EXCISE,
THIRUVANANTHAPURAM.
(ADDL.3RD RESPONDENT IS IMPLEADED AS PER ORDER
DATED 26/03/2007 IN I.A.NO.4646 OF 2007)

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN WPC NO.3163 OF 2007

PETITIONER'S EXHIBITS:

EXT.P1:- TRUE COPY OF REPRESENTATION TO THE EXCISE MINISTER ON 6/6/2006.

EXT.P2:- TRUE COPY OF THE REPRESENTATION TO THE DIRECTOR OF VIGILANCE DATED 22/12/2006.

[TRUE COPY]

R.BASANT, J.

W.P.C.No.3163 of 2007

Dated this the 26th day of March 2007

JUDGMENT

The grievance of the petitioner is that no proper investigation is being conducted into Ext.P2 complaint lodged by him before the second respondent. The learned Public Prosecutor, after taking instructions, submits that Ext.P2 complaint was infact received by the second respondent and that the second respondent has forwarded it to the additional third respondent who has ordered a vigilance enquiry to be conducted by one of the officials of the Excise Department. The Vigilance Officer, Excise is doing the needful in the matter, reports the learned Public Prosecutor.

2. The learned counsel for the petitioner submits that he will be satisfied, if a proper investigation is conducted by the said official and in these circumstances, no further directions are sought.

3. This writ petition is, in these circumstances, dismissed after making note of the submissions of the learned Public Prosecutor that the Vigilance Officer, Excise is conducting a

proper investigation into the grievance raised in Ext.P2 and the needful shall be done expeditiously. The dismissal of this writ petition will not fetter the rights of the petitioner to approach this court again at a later stage. If his grievance remains unsatisfied, he can so approach this court again, not within a period of three months from this date.

(R.BASANT, JUDGE)

jsr

// True Copy//

PA to Judge

R.BASANT, J

C.R.R.P.No.

ORDER

21ST DAY OF JULY 2006